

ACTION BY: Regional Directors
Special Nutrition Programs

SOURCE CITATION: Sections 225.21, 226.23, and 245.3(c)

Free and Reduced Price Eligibility Determinations
for Foster and Institutionalized Children

This Instruction sets forth the policy regarding free and reduced price eligibility determinations for foster and institutionalized children in all Child Nutrition Programs, i.e., the National School Lunch, School Breakfast, Special Milk, Child Care, and Summer Food Service Programs.

Foster Child

A foster child is a ward of a court or welfare agency, placed in residence in a private household. Since the court or agency retains legal responsibility for such a child, the foster home is, in fact, an extension of that agency and the foster child is considered a household of one. Confirmation of the court or welfare agency's legal responsibility for the foster child and the funds provided by the agency for the personal use of the child may be required at the option of the State agency, school food authority or institution.

For purposes of determining eligibility, the following guidelines are to be used:

1. The foster child is considered a household of one; thus, the foster parents' household size or income is not used to determine eligibility.
2. Funds provided by the welfare agency which are specifically identified by category for personal use of the child for items such as clothing, school fees, and allowances are counted as income. Funds identified for shelter and care, and medical and therapeutic needs are not considered as income for the child. Where welfare funds cannot be identified by category, no portion of the provided funds are considered as income.
3. Funds personally received by the child such as funds received from trust accounts, monies provided by the child's family for personal use, and earnings from full-time and regular part-time employment are to be considered as income for the child. Occasional earnings should not be considered as income.

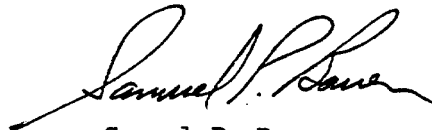
DISTRIBUTION: 5,6,11,12,14	MANUAL MAINTENANCE INSTRUCTIONS: Remove FNS Instruction 765-5 and 765-6 from Manual. Insert this Instruction.	RESPONSIBLE FOR PREPARATION AND MAINTENANCE: CND-100	Page 1 3-19-86
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4. The application must be signed by an adult member of the foster home; however, a social security number is not needed for the foster child's application.
5. Eligibility officials may verify the foster child's status as a family of one and his or her income. However, such verification may not delay the approval of a complete application.

Institutionalized Child

An institutionalized child is one who resides in a residential type facility that the State has determined is not a boarding school. Such a child is considered a household of one.

Payments from any source, directly received by the institution on a child's behalf shall not be considered as income to the child. However, the amount of money a child personally receives or earns from any full-time or regular part-time source, shall be considered as income. Institutionalized children are not to be categorically certified as eligible for free or reduced price benefits. A record of each child's income, even if "0", must be identified on the application or free and reduced price meal eligibility documentation sheet for residential child care institutions.



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